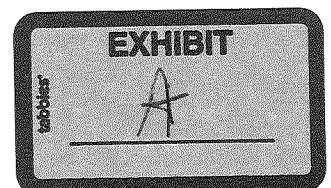


### AFFIDAVIT

James Hassig, first being duly sworn upon his oath, states as follows;

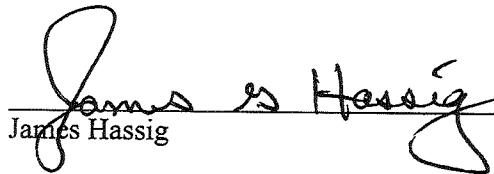
1. Between October 1984 and March 2005 I was employed as a police officer with the South Bend Police Department (hereinafter Department).
2. On or about April 2003 I attained the rank of Uniform Division Chief within the Department.
3. The office of the Uniform Division Chief to which I was assigned was provided with a telephone and a specific telephone number.
4. I never requested that the telephone line assigned to my office as Uniform Division Chief be recorded.
5. In or around the summer of 2004, during which time construction was still occurring on the building for the Department and the front desk area had not been completed, a staff meeting occurred for the Division Chiefs and the Chief of the Department. At this meeting I learned from Chief Tom Fautz that the phone line assigned to my office as Uniform Division Chief was being recorded.
6. At this meeting Chief Fautz had a list of phone numbers that were being recorded and/or going to be placed on the recording system and we were asked by the Chief if anyone felt that any additional phone lines should be added to the recording system. It was at this meeting I also learned that the telephone number assigned to the Investigative Division was also being recorded. At that time Eugene Kyle was the Chief of the Investigative Division.
7. I understood that one of the chief reasons why these lines were being recorded was to document any civilian complaints being made and the response to any



such complaints. The recordings would provide documentation which may later be needed to potentially protect an officer from an unsubstantiated complaint, or substantiate a complaint from a citizen.

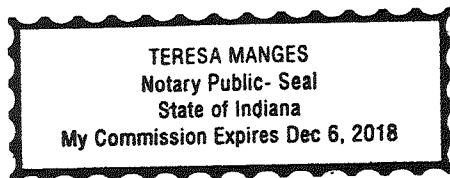
8. I felt that the recording of telephone lines within the Department was routine and reasonable.
9. When I retired in 2005, Darryl Boykins became the Uniform Division Chief and would have been assigned the same office and telephone line I had. I do not specifically recall if he was told that the phone line assigned to the Uniform Division Chief's office was recorded.

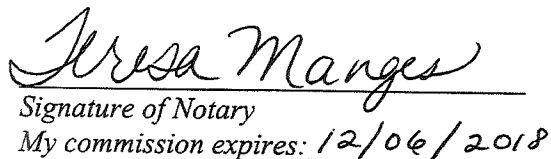
Further affiant sayeth not.

  
James Hassig

State of Indiana, County of St. Joseph; SS:

Subscribed and sworn to before me, this 15<sup>th</sup> day of April, 2013.



  
Signature of Notary  
My commission expires: 12/06/2018